

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ZEMENCO, INC., a corporation, )  
Plaintiff, ) Case No. 03-175 Erie  
v. ) Filed Electronically  
DEVELOPERS DIVERSIFIED )  
REALTY CORPORATION, a )  
corporation, )  
Defendant. )

**SECOND SUPPLEMENTAL APPENDIX TO BRIEF OF ZEMENCO, INC.  
FILED IN OPPOSITION TO THE MOTION FOR SUMMARY JUDGMENT OF  
DEVELOPERS DIVERSIFIED REALTY CORPORATION**

Plaintiff Zemenco, Inc., files this Second Supplemental Appendix to Brief of Zemenco, Inc. in Opposition to the Motion for Summary Judgment of Developers Diversified Realty Corporation consisting of Exhibit zzzz: Deposition Transcript of Richard Hessinger, dated January 10, 2000.

Respectfully submitted,

s/ Christopher P. Furman  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY on this 27<sup>th</sup> day of July, 2005, that true and correct copies of the foregoing Second Supplemental Appendix to Brief of Zemenco, Inc. in Opposition to the Motion for Summary Judgment of Developers Diversified Realty Corporation was served by Facsimile and United States first-class mail, postage affixed thereto, on the following parties:

W. Patrick Delaney, Esquire  
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*s/Christopher P. Furman*